

U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, Third Floor
New York, New York 10007

August 8, 2008

BY HAND DELIVERY

Hon. Andrew J. Peck
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1370
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 8/11/08

Re: *Alcantara v. United States of America*, 07 Civ. 10602 (AJP)

Dear Judge Peck:

This Office represents the United States (the "Government"), the defendant in the above-referenced Federal Tort Claims Act (the "FTCA") action. I write on behalf of both parties to respectfully request a brief extension of the deadline for completion of expert discovery in this matter.

Pursuant to Your Honor's order at the July 1, 2008 conference, the plaintiff and the Government were directed to make their expert disclosures on, respectively, August 1 and September 5, 2008. I received plaintiff's expert disclosures on July 28, 2008. On August 1, I pointed out to plaintiffs' counsel that those disclosures did not meet the requirements of Rule 26(a)(2)(B) in several material respects and asked for those disclosures be supplemented within a week to cure the deficiencies.

On August 7, 2008, plaintiff's counsel telephoned me and requested an additional week to cure the deficiencies in plaintiff's expert disclosures. In light of this delay, I respectfully request that the deadline for plaintiff's expert disclosures be extended, *nunc pro tunc*, until August 14, 2008 and the deadline for the Government's expert disclosures and the completion of expert discovery in this matter for be extended from September 5, 2008 until September 16, 2008.

MEMO ENDORSED 8/11/08

Approved: *[Signature]* (for PTO review
the 10/5)

SO ORDERED:

[Signature]
Hon. Andrew Jay Peck
United States Magistrate Judge

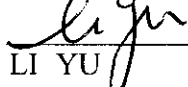
BY FAX

[Signature]

I thank the Court for considering these requests.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

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**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
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Dated: August 11, 2008

Total Number of Pages: 3

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TRANSCRIPTION:

MEMO ENDORSED 8/11/08

Approved. (Joint PTO remains due 10/5.)